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S E C R E T MANAMA 000403

SIPDIS

DEPT FOR NEA FO/PDAS LAROCCO AND DAS DIBBLE, NEA/RA,
NEA/ARP, PM, PM/

E.O. 12958: DECL: 03/22/2014

TAGS: [PREL](#) [MARR](#) [PTER](#) [BA](#) [KICC](#)

SUBJECT: MFA MINSTATE ASKS FOR TIME ON ARTICLE 98
RATIFICATION

REF: A. MANAMA 368

[B](#). MANAMA 200

Classified By: CDA Robert S. Ford for reasons 1.4(b)(d).

1.(C) Bahrain is serious about ratifying the Article 98 agreement, MFA Minstate Abdulghaffar assured Charge on March 23. The GOB is not deliberately delaying progress, he stressed repeatedly; the government is divided between those who advocate that the agreement does not have to go to parliament, and those who believe the National Assembly must ratify it. The MFA, he emphasized, firmly supports bringing the agreement into force without submitting it to the National Assembly.

2.(C) The government, Abdulghaffar explained, does not want this argument or its signature of the agreement to leak a currently fractious parliament. He related that he had faced unexpected criticism during the March 22 Shura (appointed) Council debate on the ratification of the counter terrorism conventions on the suppression of terrorist financing and the suppression of terrorist bombings (septel). Some "Islamist" members asked why Bahrainis shouldn't provide charity to the orphans of Hamas martyrs, he highlighted. In the present climate, he rhetorically argued, it would be better to take the agreement to the National Assembly after the GOSI/Pension Fund crisis with the House of Representatives is resolved (ref b).

3.(C) Abdulghaffar recalled that he had participated in the negotiation of the Defense Cooperation Agreement (DCA) and reiterated that he did not believe that Bahrain would ever turn over an American to the International Criminal Court. Responding to POL/ECON Chief's question, Abdulghaffar stated definitively that Bahrain has no intention at this time of ratifying the Convention on the International Criminal Court. However, he quickly added that some within the GOB have argued that Bahrain should ratify the ICC treaty if it ratifies the Article 98 agreement.

4.(C) COMMENT: Abdulghaffar's demarche reflects Bahrain's domestic political stress from internal disturbances, an increasingly aggressive parliament, the approach of the Formula 1 race, and the death of Shaikh Ahmed Yassin. A group of university-educated Sunni Bahrainis blasted the U.S. for never joining the ICC during Charge's March 22 call on their political salon. Charge did not raise with the young men -- already angry about the killing of Shaikh Yassin -- the Article 98 issue. Their rejection of our bilateral agreement would have been certain. The MFA obviously fears losing a vote in parliament on the article 98 agreement ratification. Given the current local political climate, we think pushing the Bahrainis to send a U.S. bilateral agreement to parliament now would probably produce a parliamentary rejection. END COMMENT.
FORD